!License:CAL-1.0-Basic](LICENSE-Community.md)

Community Abundance License v1.0 - Basic Edition

A license that helps those who need it while blocking those who cause harm

Copyright (c) [Year] [Copyright Holder]

This work, "[Name of Work]", is licensed under the Community Abundance License v1.0 - Basic Edition (CAL-1.0-Basic).

FREE USE: Individuals under $250K income and organizations under $1M revenue.

PROHIBITED: Weapons manufacturers, private prisons, and entities causing documented harm.

COMMERCIAL LICENSING: Contact [Insert Contact Information]

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SECTION 1: EXPANDED RIGHTS FOR THOSE WHO NEED THEM

1.1 Unrestricted Use Grant

The following receive full, unrestricted, perpetual, and royalty-free rights to use, adapt, remix, create derivatives, and profit from this Work. The NC (Non-Commercial) and ND (No-Derivatives) restrictions are permanently waived for:

a) Individuals earning under $250,000 annual net income

- Net income calculated after business expenses, cost of goods sold, and operating costs
- Based on adjusted gross income (AGI) or equivalent tax measure
- Protects farmers, contractors, gig workers, and small business owners with high transactions but low take-home

b) For-profit organizations under $1,000,000 annual net revenue

- Net revenue calculated as gross revenue minus cost of goods sold and direct operating expenses

- Includes small businesses, startups, local firms, and high-volume low-margin operations
- Once reaching $1M net revenue, contact copyright holder for commercial licensing

c) Non-profit organizations, municipalities, and educational institutions under $5,000,000 annual revenue or budget

- Includes community organizations, local governments, school districts, and mission-driven entities
- More generous threshold recognizing community-serving nature

d) Residents of UN-designated Least Developed Countries (LDCs)

- Addresses systemic global economic inequality
- Unrestricted regardless of individual income

e) Inhabitants of UN-recognized Small Island Developing States (SIDS)

- Facing existential climate threats they did not create
- Unrestricted regardless of individual income

1.2 Verification

Eligibility is presumed valid based on good faith self-identification. Copyright holders may request verification only when:

- Substantial commercial use is involved (generally >$50,000 annual revenue derived from this work), AND
- Apparent bad faith exists (e.g., large corporations claiming small business status)

Acceptable verification includes: tax returns, financial statements, business registration documents, national ID from LDCs/SIDS, or equivalent documentation.

Copyright holders bear no liability for good faith acceptance of eligibility claims.

1.3 Transition Period

If status materially changes (individual's net income exceeds threshold, organization grows beyond limits, LDC/SIDS resident relocates permanently to developed nation for employment), beneficiaries receive a 12-month transition period to complete existing projects. No retroactive enforcement applies to good faith uses that were legitimate when initiated.

1.4 Section 2 Prohibitions Override

Even if an entity meets the income/revenue thresholds above, entities prohibited under Section 2 (weapons manufacturers, private prisons, etc.) have no rights to use this work. The ethical screening in Section 2 applies regardless of size or revenue.

1.5 CAL Community Support

All CAL-licensed works and their users may access voluntary community resources including:

- Crowdfunding for legal defense or project development
- Signal boosting through community social media networks
- Documentation templates and enforcement guides
- Pro bono professional expertise from community members
- Collective advocacy when license violations occur

Participation is entirely voluntary with no obligations. See [insert community platforms] for current gathering spaces.

1.6 Threshold Basis and Geographic/Temporal Adjustments

Baseline Standard: The income and revenue thresholds in Section 1.1 are calibrated to United States cost of living and purchasing power in 2025:

- $250,000 individual net income
- $1,000,000 organizational net revenue
- $5,000,000 nonprofit/municipal budget

These thresholds represent approximately:

- 4-5x the US median household income for individuals
- Sustainable small business scale for organizations
- Regional organization scale for nonprofits/municipalities

Geographic Adjustment Principle:

Copyright holders may adjust thresholds for applicants in different geographic regions to maintain equivalent purchasing power and quality of life standards. Adjustments should consider:

For Lower Cost-of-Living Regions:

- Proportionally lower thresholds based on local median income
- Example: Region with 50% of US median income → $125,000 individual threshold
- Purchasing Power Parity (PPP) adjustments using World Bank or OECD data

For Higher Cost-of-Living Regions:

- Proportionally higher thresholds based on local median income
- Example: Region with 150% of US median income → $375,000 individual threshold
- Accounts for drastically different living costs (e.g., San Francisco vs. rural Mississippi)

Currency Conversion: When evaluating non-USD income/revenue:

- Convert to USD using average annual exchange rates
- Consider applying PPP adjustments rather than nominal exchange rates
- Use internationally recognized sources (World Bank PPP, OECD, IMF)

Temporal Adjustment: As inflation and economic conditions change over time:

- Thresholds may be adjusted to maintain equivalent purchasing power
- Use US Consumer Price Index (CPI) or equivalent inflation measures
- Suggested review every 3-5 years
- Future CAL versions may update baseline thresholds

Practical Guidance:

Presumption of Eligibility: Self-identification remains valid. Copyright holders are not required to perform complex geographic or temporal adjustments. These guidelines exist for cases where:

- Substantial commercial use warrants verification
- Applicant requests clarification on their status
- Copyright holder wants to maintain consistent standards globally

Simple Approaches:

- Accept Section 1.1 thresholds as stated (no adjustments needed)
- Use approximate regional multipliers (0.5x for low-cost regions, 1.5x for high-cost)
- Rely on LDC/SIDS designation (Section 1.1d-e) which already addresses global inequality

Sophisticated Approaches:

- Calculate PPP-adjusted thresholds using World Bank data
- Develop region-specific threshold schedules
- Publish adjusted thresholds for common jurisdictions
- Community may maintain reference tables for different regions/currencies

No Obligation to Adjust: Copyright holders may:

- Use stated thresholds universally without adjustment
- Apply the same standard globally for simplicity
- Defer to community-maintained adjustment guidelines
- Make case-by-case determinations

The goal is expanding access while maintaining intent - these thresholds should represent "people with limited resources" regardless of where they live or when they're applying.

Example Applications:

Example 1: Software developer in Mumbai, India (2025):

- Annual income: ₹2,500,000 INR (~$30,000 USD nominal exchange rate)
- India median household income: ~~₹300,000 INR (~~$3,600 USD)
- Developer earning 8.3x Indian median income
- US comparison: 8.3x US median ($75,000) = $622,500 - would exceed threshold
- **Decision approaches:**
    - **Simple:** $30,000 < $250,000 → Qualifies (no adjustment)
    - **PPP-adjusted:** India PPP factor ~0.27 → Adjusted threshold ~$67,500 → Does not qualify
    - **Relative income:** 8x+ local median suggests substantial means → Does not qualify
    - **Copyright holder discretion:** May grant access based on absolute income or deny based on relative wealth

Example 2: Freelance designer in Lagos, Nigeria (2025):

- Annual income: ~~₦~~15,000,000 NGN (~$10,000 USD nominal)
- Nigeria median income: ~~₦1,200,000 NGN (~~$800 USD)
- Designer earning 12.5x Nigerian median
- **Decision:** Clearly qualifies under any approach - both absolute and relative income support access

Example 3: Small manufacturing business in Vietnam (2025):

- Annual net revenue: ₫12,000,000,000 VND (~$500,000 USD nominal)
- Vietnam median business revenue for similar size: ~₫2,000,000,000 VND
- Company earning 6x Vietnamese median for category
- **Decision approaches:**
    - **Simple:** $500,000 < $1,000,000 → Qualifies
    - **PPP-adjusted:** Vietnam PPP factor ~0.39 → Adjusted threshold ~$390,000 → Does not qualify
    - **Copyright holder choice:** May accept at face value or apply PPP adjustment

Example 4: Tech startup in San Francisco, California (2025):

- Annual net revenue: $800,000 USD
- San Francisco cost of living: ~180% of US average
- Local median income: ~$120,000 (vs US median ~$75,000)
- **Decision approaches:**
    - **Strict application:** $800,000 < $1,000,000 → Qualifies
    - **COL-adjusted:** 1.8x multiplier → Effective threshold $1,800,000 → Qualifies
    - **Practical reality:** Operating in high-cost region but still under any reasonable threshold → Qualifies

Example 5: Nonprofit in Zurich, Switzerland (2025):

- Annual budget: 4,000,000 CHF (~$4,600,000 USD nominal)
- Switzerland cost of living: ~150% of US average
- Swiss nonprofit sector budgets typically higher due to costs
- **Decision approaches:**
    - **Strict:** $4,600,000 < $5,000,000 → Qualifies (barely)
    - **COL-adjusted:** 1.5x multiplier → Threshold becomes $7,500,000 → Qualifies comfortably
    - **Context matters:** Mission-driven organization operating in expensive environment

Example 6: Rural farmer in Iowa, USA (2025):

- Gross farm revenue: $800,000 USD
- Net income after expenses (seed, equipment, land, fuel): $85,000 USD
- **Decision:** Uses net income, not gross revenue → $85,000 < $250,000 → Clearly qualifies
- **Why this matters:** High transaction volume doesn't equal wealth

Example 7: Gig worker in São Paulo, Brazil (2025):

- Gross earnings: R$200,000 BRL (~$40,000 USD nominal)
- After platform fees and expenses: R$120,000 BRL (~$24,000 USD net)
- Brazil median income: ~~R$30,000 BRL (~~$6,000 USD)
- Worker earning 4x Brazilian median
- **Decision approaches:**
    - **Absolute income:** $24,000 << $250,000 → Qualifies
    - **Relative income:** 4x local median is comfortable but not wealthy → Likely qualifies
    - **Economic reality:** Still operates with significant constraints in local economy

Example 8: Medical clinic in rural Kenya (2025):

- Annual budget: 80,000,000 KES (~$620,000 USD nominal)
- Serves region with limited resources
- Kenya not designated LDC but has lower costs
- PPP adjustment: Kenya PPP factor ~0.46 → Adjusted threshold ~$2,300,000
- **Decision:** Qualifies comfortably under any approach - serving underserved community with budget appropriate to context

Example 9: Individual developer in Toronto, Canada (2025):

- Annual income: $180,000 CAD (~$135,000 USD)
- Toronto cost of living: ~110% of US average
- Canadian median income: ~$62,000 CAD
- Developer earning 2.9x Canadian median
- **Decision approaches:**
    - **Nominal:** $135,000 < $250,000 → Qualifies
    - **COL-adjusted:** 1.1x multiplier → Threshold ~$275,000 → Qualifies
    - **Relative income:** Under 3x local median suggests still building wealth → Qualifies

Example 10: Large corporation attempting to claim Section 1 status (2025):

- Corporation with $500M annual revenue claims subsidiary with $900,000 revenue should qualify
- Subsidiary is wholly-owned and not operationally independent
- **Decision:** Section 1.6 good faith principle applies
- Parent company resources available to subsidiary
- This is exactly the "apparent bad faith" scenario that triggers verification
- **Result:** Does not qualify - parent company resources considered

Example 11: Consultant in Germany serving corporate clients (2025):

- Annual income: €200,000 EUR (~$220,000 USD)
- Germany median income: ~€45,000 EUR
- Consultant earning 4.4x German median
- Serves Fortune 500 companies but operates as individual
- **Decision approaches:**
    - **By threshold:** $220,000 < $250,000 → Technically qualifies
    - **By context:** High-end consulting serving wealthy clients suggests means to pay for commercial license
    - **Copyright holder discretion:** May accept threshold or require commercial license based on client base

Key Principles from Examples:

1. **Absolute poverty trumps relative wealth:** Someone earning 10x local median but only $15,000 USD absolute still clearly needs access

2. **Context matters for borderline cases:** High cost-of-living areas get more generous interpretation

3. **Net income, not gross revenue:** Farmers, gig workers, contractors evaluated on take-home

4. **Bad faith is obvious:** Shell games with subsidiaries and corporate structures don't work

5. **Mission and service matter:** Nonprofits serving underserved communities get benefit of doubt

6. **Copyright holder has final say:** These examples show approaches, not requirements

7. **When in doubt, grant access:** The goal is expanding access, not creating barriers

1.7 Asset-Based Income and Wealth Considerations

The Unrealized Gains Problem: Net income calculations can be artificially manipulated through wealth held in appreciating assets. A person with $50 million in stock portfolios may report only $100,000 in annual income if they don't sell assets, despite having substantial means and access to capital.

Inclusive Calculation for Substantial Asset Holders: For individuals or entities holding substantial assets (generally >$2,000,000 in total assets), income should include:

Realized Income (Standard):

- Wages, salaries, business income
- Dividends and interest (already reported)
- Capital gains from sales
- Rental income
- Other traditional income sources

Asset-Based Adjustments (for substantial asset holders):

- Annual unrealized gains from appreciated assets (stocks, bonds, real estate, crypto)
- Borrowing against assets (securities-backed loans, HELOCs used for living expenses)
- In-kind compensation (stock grants, options)
- Trust distributions or access to trust assets
- Deferred compensation that is vested but not yet paid

Why This Matters:

Example: Tech Executive Compensation Structure

- Reported W-2 income: $200,000 (under threshold)
- Stock grants vesting: $5,000,000 annually
- Securities-backed line of credit: $500,000 drawn annually for living expenses
- Unrealized portfolio appreciation: $2,000,000
- **Real economic position:** $7.7M annual economic benefit
- **Decision:** Does not qualify under Section 1, despite reported income under $250K

Example: Real Estate Investor

- Reported income: $180,000
- Property portfolio value: $8,000,000
- Annual appreciation: $400,000 unrealized
- HELOC draws for expenses: $200,000
- Rental income (already counted): $180,000
- **Real economic position:** $780,000+ annual benefit
- **Decision:** Does not qualify when unrealized gains and borrowing included

Example: Startup Founder

- Reported salary: $120,000
- Equity stake valued at: $15,000,000 (paper value)
- No stock sales (all unrealized)
- Company provides: housing, car, expenses
- Securities-backed loan: $300,000 for living expenses
- **Real economic position:** Substantial means via asset access and perks
- **Decision:** Does not qualify despite low reported salary

Practical Application:

Presumption for Most Users: The vast majority of Section 1 beneficiaries don't have substantial asset portfolios. This provision targets:

- High-net-worth individuals using income minimization strategies
- Executives with equity-heavy compensation
- Investors living off portfolio growth without sales
- Wealthy individuals accessing capital through borrowing

When to Consider Assets: Copyright holders should consider asset-based adjustments when:

- Substantial commercial use (>$50K derived from the work)
- Public information suggests wealth (SEC filings, property records, press coverage)
- Apparent bad faith (claiming poverty while visibly wealthy)
- Entity is publicly traded or has disclosed financials

Verification: For individuals claiming Section 1 status with substantial assets:

- SEC Form 4 filings (for executives)
- Publicly available property records
- Financial disclosures (for public figures)
- Self-disclosure of asset positions

Safe Harbor: Individuals who don't hold substantial assets (generally <$2,000,000 total) are not subject to asset-based adjustments. This includes:

- Primary residence equity (unless used for borrowing against)
- Retirement accounts not yet accessible
- Small investment portfolios typical of middle-class savers
- Emergency funds and typical savings

Threshold for "Substantial Assets":

- **$2,000,000+ in liquid or semi-liquid assets** (stocks, bonds, investment property, crypto, business equity)
- Does NOT include: primary residence, retirement accounts with early withdrawal penalties, vehicles, personal property
- DOES include: investment portfolios, rental properties, business ownership stakes, vacation properties

Examples Where Assets Don't Disqualify:

Middle-class professional with retirement savings:

- Income: $180,000
- 401(k) balance: $500,000 (age 55, can't access without penalty)
- Primary residence equity: $300,000
- Emergency savings: $50,000
- **Decision:** Qualifies - retirement accounts and primary residence don't count toward asset threshold

Successful small business owner:

- Income: $220,000
- Business equity: $800,000 (tied up in operations, not liquid)

- Primary residence: $400,000 equity
- **Decision:** Qualifies - business equity under substantial threshold and not easily liquid

Examples Where Assets Do Disqualify:

"Low income" investor:

- Reported income: $150,000
- Stock portfolio: $8,000,000
- Annual unrealized gains: $800,000
- Living expenses via securities-backed loan: $400,000
- **Decision:** Does not qualify - substantial assets and accessing wealth through borrowing

Startup founder claiming poverty:

- Salary: $1 (common startup practice)
- Equity stake: $20,000,000 paper value
- Company-provided housing, car, expenses: ~$200,000 value
- Securities-backed loan: $500,000
- **Decision:** Does not qualify - substantial means via equity and perks despite minimal salary

Copyright Holder Discretion: As always, copyright holders may:

- Accept reported income at face value for simplicity
- Investigate only when red flags appear
- Request voluntary disclosure of assets for substantial commercial use
- Exercise judgment based on apparent means and good faith

Goal: Prevent wealthy individuals from gaming income thresholds while not burdening typical users with complex asset calculations.

**Section 1.8: Threshold Graduation and Derivative Rights Preservation

When Success Changes Your Status

The Success Scenario: You start as a solo developer earning $80K/year, qualify under Section 1, and use multiple CAL-licensed works freely. Your business grows to $300K/year income or your startup reaches $2M revenue. What happens to your existing uses and derivatives?

Two Categories of Use:

Category 1: Derivative Works You Created While Qualified

Preserved Rights for Completed Derivatives:

If you created derivative works while you qualified under Section 1 thresholds:

- **Those specific derivatives remain valid** even after you exceed thresholds
- You retain full rights to continue using, improving, and commercializing those derivatives
- The work you put in while qualified doesn't get retroactively invalidated
- Attribution and license terms must still be maintained

Rationale: You relied on Section 1 rights in good faith when creating your derivative. Retroactive revocation would be unjust and would discourage use of CAL-licensed works for growing businesses.

Example - Software Development:

- Year 1: Developer earning $100K uses CAL-licensed library, creates application
- Year 2: Application succeeds, developer now earning $400K
- Year 3: Developer continues using and improving the application they created in Year 1
- **Result:** Application remains valid, developer can continue development and commercialization
- **Requirement:** Maintain attribution, follow license terms for the original library
- **New use:** Developer cannot start using *different* CAL-licensed works without commercial license

Example - Physical Product:

- Year 1: Small manufacturer ($600K revenue) uses CAL-licensed design, creates product line
- Year 2: Product succeeds, manufacturer now at $1.5M revenue
- Year 3: Manufacturer continues producing and improving the product line
- **Result:** Product line remains valid, can continue manufacturing and selling
- **New use:** Cannot adopt new CAL-licensed designs without commercial licenses

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Category 2: Simple Use of Unmodified Works

Transition Required for Ongoing Use:

If you were simply *using* CAL-licensed works (not creating derivatives) while qualified:

- You receive a **12-month transition period** from when your status changes (per Section 1.3)

- During this period, complete existing projects and wind down free use
- After 12 months, request commercial license to continue use
- Or replace with alternative solutions

Rationale: Simple use creates no reliance interest - you can switch to alternatives. The 12-month grace period provides reasonable time to transition.

Example - Using Documentation:

- Year 1: Startup ($500K revenue) uses CAL-licensed training materials for employee onboarding
- Year 2: Startup grows to $1.8M revenue, exceeds threshold
- **Transition period:** 12 months to either (a) license the materials commercially, (b) develop own materials, or (c) find alternatives
- **Not permitted:** Continuing to use materials indefinitely for free after transition period

Example - Using Software Tool:

- Year 1: Consultant ($180K income) uses CAL-licensed software tool in client work
- Year 2: Consultant's income grows to $320K
- **Transition period:** 12 months to either (a) obtain commercial license, (b) switch to alternative tools
- **Not permitted:** Indefinite free use after exceeding threshold without licensing

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Distinguishing Derivatives from Simple Use

Derivative Works (Rights Preserved):

- Created something new based on CAL work
- Invested significant time/effort into adaptation
- Your work is intertwined with the original
- Examples: Software built on libraries, products based on designs, courses built from materials, implementations of methods

Simple Use (Transition Required):

- Using work as-is or with minimal modification
- Can be replaced without significant rework
- No substantial creative investment
- Examples: Using documentation as reference, running unmodified software, following instructions

Gray Area - Substantial Customization: If you've substantially customized a work (but not legally created a "derivative"):

- Apply good faith interpretation
- Significant customization that's hard to replace → treat as derivative
- Minor configuration or adaptation → treat as simple use
- When in doubt, contact copyright holder for clarification

What "Completed Derivatives" Means

Completed:

- Functional and usable version created while qualified
- Not just started or planned
- Actual code written, product manufactured, course taught, etc.
- Must have been created before exceeding threshold

Continuing Development:

- Can continue improving derivatives you created while qualified
- Can fix bugs, add features, update for compatibility
- Can release new versions based on your derivative
- Cannot incorporate *new* CAL-licensed works without appropriate licensing

Example:

- Year 1 (qualified): Built application using CAL-licensed library v1.0
- Year 2 (no longer qualified): Can continue developing your application
- Year 2: CAL-licensed library releases v2.0 with new features
- **Can do:** Continue using v1.0 in your application, make your own improvements
- **Cannot do:** Upgrade to v2.0 without commercial license (that's new use)

Common Courtesy and Community Norms

Legal vs. Ethical Obligations:

While not legally required, the CAL community encourages successful users to recognize the value provided:

If CAL-licensed work significantly contributed to your success:

- Consider offering to license the work commercially even though you're legally entitled to continue using your derivative for free
- Reach out to the copyright holder with an offer to support their work
- Suggested: 1-5% of what you would have paid for a commercial license originally
- Or contribute to community legal defense funds
- Or provide pro bono professional services to the creator

Why This Matters:

- Copyright holders took a risk sharing under CAL to help people like you
- Your success validates their choice to use ethical licensing
- Supporting creators sustains the CAL ecosystem
- Enables copyright holders to create more freely-shared work
- Builds relationships and goodwill within the community

This is voluntary appreciation, not obligation:

- You are legally entitled to continue using derivatives you created while qualified
- No enforcement mechanism for "common courtesy"
- No community judgment if you can't afford to pay back
- Simply an invitation to pay it forward when you're able

Examples of Paying It Forward:

- "Your library was crucial to our $5M exit. Here's $5K as thanks - less than we'd have paid for a commercial license upfront, but we wanted to show appreciation."
- "We built our entire business on your framework. Now that we're successful, we'd like to become a commercial licensee going forward as a way to support your work."
- "Your work helped us get started. We can't afford cash, but we'd like to contribute documentation improvements back to the community."

Practical Guidance

If You're Growing and Approaching Thresholds:

1. **Document what you've created:** Keep records of derivatives created while qualified
2. **Complete projects in progress:** Finish derivatives before exceeding threshold if possible
3. **Plan for transition:** Know which simple uses will need commercial licenses
4. **Contact copyright holders early:** Many will offer graduated pricing for growing businesses
5. **Budget for licenses:** Factor commercial licensing costs into growth projections

If You've Just Exceeded Thresholds:

1. **Identify your uses:** Separate derivatives you created from simple uses
2. **Derivatives:** Continue using and developing with confidence
3. **Simple uses:** Note your 12-month transition period start date
4. **New uses:** Obtain commercial licenses before adopting new CAL works
5. **Document your transition:** Keep records showing good faith compliance
6. **Consider voluntary support:** Reach out to creators whose work helped your success

If Copyright Holder Questions Your Status:

1. **Provide evidence:** Show when derivatives were created, your income/revenue at that time
2. **Good faith matters:** Honest timeline reconstruction is sufficient
3. **Disputes:** Use Section 6 dispute resolution process
4. **No retroactive enforcement:** Section 1.3 explicitly protects good faith uses

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Complete Scenarios

Scenario 1: The Successful Startup

- **Year 1:** Three founders (each $120K income) start company using CAL-licensed framework
- **Year 1:** Build entire product based on framework (derivative work)
- **Year 2:** Raise Series A, company revenue now $3M, founders' income now $250K+ each
- **Legal result:**
    - Product based on framework remains valid (created while qualified)
    - Can continue developing and commercializing product
    - Cannot adopt new CAL-licensed tools without commercial licenses
- **Common courtesy:** Consider reaching out to framework creator with voluntary licensing offer or community contribution

Scenario 2: The Growing Consultant

- **Year 1:** Consultant ($150K income) uses CAL-licensed templates and tools
- **Year 2:** Consultant income grows to $400K
- **Legal result:**
    - 12-month transition period for templates and tools (simple use)
    - Must either license commercially or find alternatives
    - Any client deliverables created using the tools in Year 1 remain valid (those are consultant's derivatives)

- **Common courtesy:** If tools were valuable, consider licensing them commercially even during transition period

Scenario 3: The Scaling Manufacturer

- **Year 1:** Small manufacturer ($700K revenue) uses CAL-licensed design for product
- **Year 1:** Manufactures thousands of units based on design
- **Year 2:** Product succeeds, company now at $2.5M revenue
- **Legal result:**
    - Can continue manufacturing and selling the product (derivative/implementation created while qualified)
    - Can improve the product design
    - Cannot adopt new CAL-licensed designs without commercial license
- **Common courtesy:** The design was foundational to success - consider offering to license it commercially as thanks

Scenario 4: The Nonprofit Growth

- **Year 1:** Nonprofit ($3M budget) creates educational program using CAL-licensed materials
- **Year 2:** Major grant increases budget to $7M
- **Legal result:**
    - Educational program created in Year 1 remains valid (derivative work)
    - Can continue running and improving program
    - Cannot adopt new CAL-licensed materials without license
    - 12-month transition for any simple uses of materials
- **Common courtesy:** If grant allows, consider supporting the creators of materials that helped achieve program success

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Key Principles

1. **Derivatives you created while qualified stay valid** - your creative work is protected
2. **Simple uses get 12-month transition** - reasonable time to adapt
3. **New uses after exceeding threshold require licenses** - consistent with threshold purpose
4. **Good faith compliance is expected** - honest timelines and documentation sufficient
5. **No retroactive enforcement** - you're not penalized for past legitimate uses
6. **Success is encouraged, not punished** - the goal is helping people grow, not trapping them
7. **Voluntary gratitude is welcomed** - paying it forward strengthens the community, but isn't required

SECTION 1A: COLLECTIVE ENFORCEMENT BY BENEFICIARIES

1A.1 Co-Ownership Through Active Use

Section 1 beneficiaries who are actively using or materially benefiting from this Work automatically receive limited copyright co-ownership for enforcement purposes.

Active use defined as:

- Incorporating the Work into products, services, or projects
- Deriving revenue or substantial value from the Work
- Building upon or regularly utilizing the Work
- Having created derivatives based on the Work

Active use requires at least one of the following within the past 12 months:

- Incorporated Work into a product/service in active use or development
- Generated revenue derived from the Work
- Published or maintained a derivative based on the Work
- Made meaningful contributions or improvements to the Work
- Regularly used the Work as a core component of operations

Passive awareness or potential future use does not establish co-ownership.

1A.2 Division of Rights

Original Copyright Holder Retains Exclusively:

- Right to license the original Work to third parties
- Right to register copyright with national authorities
- Primary control over the Work's terms and conditions
- Moral rights, attribution control, and creative direction
- Authority to modify license terms for future versions
- Final approval over settlements and major legal strategy decisions
- Right to transfer or assign copyright ownership

Active Beneficiary Co-Owners Receive:

- Standing to sue for copyright infringement
- Authority to send cease-and-desist notices
- Right to pursue statutory damages for violations

- Right to use and create derivatives (per Section 1 terms)
- Full copyright ownership of their own derivatives
- Right to license derivatives they create
- Right to license the original Work only with explicit written permission from original copyright holder
- Proportional share of damages recovered from enforcement actions they initiate
- Right to enforce this license against violators

1A.3 Derivative Work Ownership

Beneficiaries who create derivatives own full copyright in their derivative works. This ownership includes:

- All rights to use, modify, and license the derivative
- Standing to defend the derivative against infringement
- Independent enforcement capability for derivative violations
- Right to enforce license terms applicable to the derivative

Practical mutual defense: Since most violations of the original Work also violate derivatives built upon it, this creates a natural mutual defense network where beneficiaries can defend their own derivatives and thereby protect the original Work.

1A.4 Non-Transferability and Termination

Co-ownership stakes are:

- Personal and non-transferable
- Cannot be sold, assigned, gifted, or inherited
- Automatically terminate if beneficiary ceases to qualify under Section 1
- Automatically terminate if beneficiary stops actively using the Work (no active use for 12+ consecutive months)
- Cannot be seized by creditors or through legal judgments
- Cannot be used as collateral or security interest

Exception: Derivatives created by beneficiaries remain fully owned by those beneficiaries even after co-ownership stake in the original Work terminates.

1A.5 Enforcement Authorization for Non-Active Users

Section 1 beneficiaries who are not actively using the Work may request enforcement authorization from the original copyright holder.

Request process:

- Submit written request describing the violation and proposed enforcement action
- Provide documentation of the alleged violation
- Explain why enforcement would benefit the community or further license goals
- Await written authorization from copyright holder

Upon written approval, they receive:

- Temporary power of attorney for specific enforcement actions
- Authority to send cease-and-desist notices
- Right to pursue the specific violation(s) described in the authorization
- Co-plaintiff status if pursuing litigation
- Rights to statutory damages per agreed distribution

This authorization:

- May be granted or denied at original copyright holder's sole discretion
- Should specify the scope, duration, and terms of enforcement authority
- Can be revoked by copyright holder at any time with written notice
- Does not create permanent co-ownership status
- Terminates automatically upon resolution of the specified violation or expiration date

Best Practice: Copyright holders are encouraged to grant enforcement authorization to motivated Section 1 beneficiaries who identify violations and have capacity to pursue them. This strengthens community defense without requiring copyright holder resources, enables distributed enforcement against multiple simultaneous violators, and empowers those who care about the Work to protect it.

No response required: Copyright holders are not obligated to respond to authorization requests. Silence does not constitute approval.

1A.6 Coordination Requirements

Before initiating enforcement action, co-owners must:

- Notify original copyright holder at least 30 days in advance via documented method (email, certified mail, or registered platform)
- Provide documentation of the alleged violation including evidence and analysis
- Disclose intended enforcement strategy and timeline
- Coordinate with any ongoing enforcement actions to avoid conflicting claims
- Name original copyright holder as co-plaintiff if requested
- Not settle claims without original copyright holder's written consent
- Keep copyright holder reasonably informed of enforcement progress

For non-active users with granted authorization:

- Follow all coordination terms specified in the authorization agreement
- Keep copyright holder informed of significant developments
- Defer to copyright holder on strategic decisions and settlement terms
- Comply with any restrictions or conditions in the authorization

Emergency cease-and-desist exception: Co-owners may send immediate cease-and-desist notices for ongoing, time-sensitive violations without waiting 30 days, but must notify copyright holder simultaneously.

Notification failure: If copyright holder cannot be reached after good faith attempts using available contact information, co-owner may proceed after 45 days with documented proof of attempt to notify.

1A.7 Damage Distribution

Statutory damages and attorney's fees recovered through enforcement actions are distributed as follows:

Default distribution:

- 60% to the party who initiated and led the enforcement action (includes litigation costs recovery)
- 30% to the original copyright holder
- 10% to CAL Community Legal Defense Fund (if established and accepting contributions)

If no Community Legal Defense Fund exists, the 10% share goes to the original copyright holder (40% total).

Alternative distribution: Parties may agree in writing to different distribution terms before or during enforcement action.

For authorized non-active users: Distribution should be specified in the authorization agreement. If not specified, default distribution applies.

Actual damages: If actual damages are pursued instead of statutory damages, distribution follows the same percentages applied to net recovery (after litigation costs).

Attorney's fees: Recovered attorney's fees are distributed proportionally according to who bore the costs. If community crowdfunding supported the action, contributors may receive proportional reimbursement before percentage distribution.

1A.8 Enforcement Priority

If multiple co-owners wish to pursue the same violation:

Priority order:

1. Original copyright holder has first priority
2. Co-owner who first reported the violation with documentation has second priority
3. Active co-owner with greatest material harm from the violation has third priority
4. Authorized non-active users have fourth priority

Coordination encouraged:

- Co-owners may coordinate joint action and share costs/damages
- Courts may consolidate related actions
- Community may facilitate coordination through shared platforms
- Multiple co-owners pursuing the same violation should communicate to avoid duplication

Parallel enforcement: Different co-owners may simultaneously pursue different violations by the same entity or different entities without conflict.

1A.9 Co-Owner Disputes and Conflict Resolution

If original copyright holder and co-owner disagree about enforcement strategy:

Resolution process:

1. Good faith negotiation between parties (30 days)
2. Either party may request mediation through CAL community dispute resolution mechanisms (if available)
3. Original copyright holder's decision is final regarding:
    - Settlement terms and amounts
    - License modifications or grants to violators
    - Public statements about violations
    - Overall enforcement strategy

Co-owner protections:

- Original copyright holder may not settle claims in ways that negatively affect co-owners' derivative works without their consent
- Original copyright holder may not grant licenses to violators that retroactively invalidate co-owners' good faith enforcement efforts
- Co-owner may pursue independent action if copyright holder declines to act within 90 days of notification and provides written declination

Good faith requirement: All parties must act in good faith to protect the Work and uphold license principles. Bad faith enforcement or obstruction may result in termination of co-ownership rights or authorization.

1A.10 Suggested Authorization Template

Copyright holders granting enforcement authorization may use or adapt the following template:

ENFORCEMENT AUTHORIZATION AGREEMENT

I, **[Copyright Holder Name]**, copyright holder of **[Work Name]** licensed under the Community Abundance License v1.0, hereby grant **[Beneficiary Name]**, a qualified Section 1 beneficiary, limited power of attorney to pursue enforcement action for copyright infringement.

Scope of Authorization:

- Alleged violating entity: **[Violating Entity Name]**
- Nature of violation: **[Description of infringement]**
- Violation timeframe: **[Dates or "ongoing"]**

Granted Authority:

- ☐ Send cease-and-desist notices
- ☐ File DMCA takedown notices
- ☐ Negotiate settlement (within parameters below)
- ☐ File copyright infringement lawsuit
- ☐ Pursue statutory damages
- ☐ Other: **[Specify]**

Conditions and Restrictions:

- Maximum settlement authority: **[Amount or "None - requires approval"]**
- Coordination requirements: **[Per Section 1A.6 or specify modifications]**
- Reporting requirements: **[Specify update frequency]**
- Prohibited actions: **[Any restrictions on enforcement approach]**

Damage Distribution:

- ☐ Default distribution per Section 1A.7 (60/30/10)
- ☐ Custom distribution: **[Specify percentages]**

Duration:

- Effective date: **[Date]**
- Expiration: **[Date or "Upon resolution of violation"]**
- Revocable by copyright holder with written notice

Copyright Holder Signature: Signed: _____ Name: **[Copyright Holder Name]** Date: **[Date]**

Beneficiary Acceptance: I accept this authorization and agree to comply with all terms, conditions, and coordination requirements.

Signed: _____ Name: **[Beneficiary Name]** Date: **[Date]**

This template may be modified to suit specific circumstances while maintaining clarity about scope and authority.

1A.11 Jurisdiction-Specific Operation and Fallback

Primary Operation: This collective enforcement framework operates as written in jurisdictions that recognize:

- Joint copyright ownership with divided rights
- Standing to sue based on co-ownership
- Power of attorney for copyright enforcement
- License-granted enforcement authority

In jurisdictions where this co-ownership structure is held unenforceable or legally unclear:

The following fallback mechanisms automatically apply:

Fallback Option 1 - Power of Attorney:

- Original copyright holder may grant case-by-case power of attorney to active beneficiaries for specific enforcement actions
- Enforcement authorization system (Section 1A.5) remains valid as standard power of attorney grants
- Authorization template serves as power of attorney documentation

Fallback Option 2 - Derivative Protection:

- Beneficiaries retain full ownership of derivatives they've created
- Can enforce protection of their derivatives (which often requires protecting the original Work)
- Provides practical enforcement capability through derivative ownership

Fallback Option 3 - Agency Relationship:

- Active beneficiaries may be considered agents of copyright holder for enforcement purposes
- Authority derived from license terms rather than co-ownership
- Copyright holder retains all ownership rights

Fallback Option 4 - Community Coordination:

- Community coordination and crowdfunding mechanisms remain valid
- Beneficiaries may fund copyright holder's enforcement actions
- Damage sharing agreements operate as contracts rather than ownership rights
- Violation reporting and documentation networks continue to function

Universal Fallback: If all collective enforcement mechanisms fail in a jurisdiction, the Work remains protected under standard copyright law with the original copyright holder retaining sole enforcement authority. Work falls back to CC BY-NC-ND terms for that jurisdiction, with all Section 1 beneficiary use rights preserved.

No Global Impact: Determinations in one jurisdiction do not affect enforceability in other jurisdictions. Copyright holder may enforce under full Section 1A terms in favorable jurisdictions while using fallback mechanisms in others.

1A.12 Community Support for Enforcement

The CAL community may provide voluntary support for enforcement actions:

Available resources may include:

- Legal defense fund crowdfunding platforms
- Pro bono attorney networks familiar with CAL
- Template cease-and-desist letters and legal documents
- Documentation and evidence gathering guidance
- Signal boosting of violations through community networks
- Coordination platforms for multiple enforcers
- Shared intelligence about repeat violators
- Moral support and encouragement for those pursuing enforcement

Participation is voluntary:

- No beneficiary is required to enforce violations
- No beneficiary is required to contribute to enforcement funds
- No beneficiary is required to participate in community platforms
- Community support is offered, not mandated

Access to resources: See [community platforms] for current enforcement support resources, legal templates, and coordination tools.

Implementation Notes for Copyright Holders

When adding Section 1A to your license:

1. **Understand what you're enabling:** Active users of your work get enforcement capability. This distributes enforcement burden but also distributes control.

2. **Maintain contact information:** Co-owners need to reach you for coordination. Keep your contact info current in the license and on project pages.

3. **Respond to coordination notices:** When co-owners notify you of violations, respond within 30 days even if just to acknowledge receipt.

4. **Consider authorization requests thoughtfully:** Motivated community members can be powerful allies in enforcement. Grant authorization when it makes sense.

5. **Document everything:** Keep records of who's actively using your work, what authorizations you've granted, and all enforcement communications.

6. **Join community platforms:** Even though participation is optional, connecting with other CAL users provides support and shared learning about enforcement.

7. **Copyright registration strongly recommended:** Section 1A enforcement is most powerful when combined with registered copyright (statutory damages + attorney's fees). See copyright registration guidance in Part II.

This section is experimental: Collective enforcement through active use co-ownership hasn't been tested in courts. The fallback mechanisms ensure your work stays protected even if Section 1A provisions face legal challenges. You lose nothing by including it, and gain distributed enforcement capability if it works.

SECTION 2: PROHIBITED ENTITIES

2.1 Optional Enforcement

Copyright holders reserve the right to prohibit use by entities engaged in severe harm. **Enforcement is entirely optional** - you are never required to pursue violations, and choosing not to enforce against one violator does not waive your rights against others.

2.2 Categories of Prohibited Entities

Examples of entities that may be prohibited from any use of this Work:

a) State perpetrators of violence against civilians

- Forces engaged in verified war crimes, ethnic cleansing, torture, or deliberate targeting of civilian infrastructure
- Governments under active International Criminal Court indictments
- Security agencies on international torture watchlists

b) Enablers of atrocities

- Private military contractors operating in conflict zones for profit
- Companies selling surveillance technology primarily to authoritarian regimes
- Arms manufacturers and weapons dealers

c) Profiteers from human suffering

- For-profit prisons and private detention facilities (including immigration detention)
- Companies using forced labor or knowingly benefiting from human trafficking
- Execution drug manufacturers
- Predatory debt collectors, especially those specializing in medical debt
- Pharmaceutical companies with extreme price gouging (>1000% markup over production cost)
- Payday lenders charging interest rates exceeding 36% APR

d) Documented systematic abusers

- Entities on international sanctions lists (UN, EU, OFAC) for human rights violations
- Companies with unremedied judgments from international human rights courts
- Organizations perpetuating severe labor abuses (child labor, forced labor) after formal notice
- Companies with multiple labor violations or union-busting activities
- Tech platforms with major privacy violations affecting vulnerable populations
- Financial institutions with significant consumer fraud penalties

2.3 Objective Documentation Standards

When enforcing prohibitions, copyright holders should reference verifiable sources such as:

International Lists:

- UN Security Council sanctions
- OFAC Specially Designated Nationals (SDN) list
- EU Consolidated List of sanctions
- Equivalent national sanctions lists (EU member states, Canada, Australia, UK, Japan)

Court Findings:

- International Criminal Court (ICC) indictments or convictions
- International Court of Justice orders or judgments
- European Court of Human Rights violations
- Inter-American Court of Human Rights rulings
- Federal court judgments from countries with independent judiciaries (top 50 on World Justice Project Rule of Law Index)

Credible Investigative Sources:

- Pulitzer Prize-winning investigations
- Reports from established outlets with dedicated fact-checking (Reuters, AP, BBC, major national newspapers)
- UN Special Rapporteur reports
- Human Rights Watch, Amnesty International documented investigations
- Peer-reviewed academic research from accredited institutions

2.4 Essential Services Exemption

The following are NOT considered prohibited entities, even if they serve prohibited entities:

a) Infrastructure and Utilities

- Public and private utilities (electricity, water, gas, sewage, waste management) under regulatory mandate
- Telecommunications carriers with common carrier obligations
- Internet service providers subject to net neutrality requirements
- Postal and package delivery services with universal service obligations

b) Transportation

- Public transportation systems (buses, trains, subways, ferries)

- Airports and seaports with public access mandates
- Toll roads and bridges with non-discriminatory access

c) Financial Services

- Banks and credit unions required by law to serve all eligible customers
- Payment processors with non-discriminatory service mandates
- FDIC-insured institutions under Community Reinvestment Act obligations

d) Healthcare

- Hospitals with Emergency Medical Treatment and Labor Act (EMTALA) obligations
- Emergency medical services
- Pharmacies filling prescriptions for incarcerated individuals
- Medical providers treating patients in detention facilities or conflict zones

e) Legal and Governmental Services

- Court-appointed attorneys and public defenders
- Court reporters, interpreters, and officers of the court
- Government agencies performing mandatory functions

2.5 Economic Necessity Exemption

Individuals and small entities (under $1M annual revenue) are not prohibited if they:

- Operate at or near subsistence level
- Lack meaningful alternative markets for their goods or services
- Would face severe economic hardship from refusing service
- Are economically coerced into relationships with prohibited entities

Examples:

- Contract farmers bound by exclusive purchasing agreements
- Gig workers with no control over customer selection
- Employees of prohibited entities who had no choice in employment
- Rural suppliers in monopsony markets with few buyers
- Agricultural workers and small-scale producers

The burden is on the copyright holder to demonstrate that an entity had meaningful alternatives and economic freedom before considering them prohibited based on customer relationships.

2.6 Safe Harbor

Good faith reliance on the sources listed in Section 2.3 protects copyright holders from defamation claims. When issuing cease notices, cite specific documentation to establish grounds for prohibition.

2.7 Economic Threshold as Enforcement Backup

Practical Reality: The vast majority of entities engaging in the harmful activities described in Sections 2.1-2.4 operate well above the Section 1 economic thresholds. Private military contractors, weapons manufacturers, for-profit prison companies, pharmaceutical companies engaged in price gouging, and similar entities typically have annual revenues far exceeding $1,000,000.

Layered Protection: This creates a robust enforcement framework with two independent mechanisms:

Primary Layer (Entity-Based Prohibition):

- Copyright holder exercises right to refuse licensing to entities causing documented harm
- Based on objective criteria and credible documentation (Section 2.3)
- Optional enforcement at copyright holder's discretion

Secondary Layer (Economic Threshold):

- Even if entity-based prohibitions face legal challenges or prove difficult to enforce, harmful actors still cannot access automatic Section 1 benefits
- Large harmful entities must request commercial licenses, which copyright holders can refuse
- Copyright holders retain absolute discretion to deny commercial licenses to any entity above Section 1 thresholds based on ethical principles

Reduced Liability Enforcement Path: If a copyright holder is concerned about potential defamation claims or retaliation from entity-based enforcement, they may instead enforce based purely on economic threshold violations:

- Entity above thresholds used work without requesting commercial license = straightforward copyright infringement
- No need to publicly label entity as "prohibited" or cite ethical concerns
- No requirement to reference Section 2 categories in cease notices
- Simple enforcement: "You exceed Section 1 thresholds and did not request a commercial license"
- Standard copyright infringement claim with no controversial ethical determinations

Example Enforcement Approaches:

High-Confidence Approach (when documentation is strong): "Your company is prohibited under Section 2.2(c) as a for-profit prison operator, and you have no rights to use this work. See [OFAC listing/court judgment/credible investigation]."

Lower-Risk Approach (economic threshold only): "Your company's annual revenue exceeds $1,000,000, placing you outside Section 1 automatic rights. You did not request or receive a commercial license. Your use constitutes copyright infringement. Cease immediately."

Both achieve the same result (stopping the violation), but the economic threshold approach:

- Avoids characterizing the entity's activities
- Reduces defamation liability exposure
- Creates simpler legal arguments
- Removes controversial ethical determinations from enforcement action
- Still effectively blocks the bad actor

Practical Application:

- A private prison company (typically $10M-$1B+ revenue) cannot claim Section 1 automatic rights
- They must request a commercial license from the copyright holder
- Copyright holder may refuse based on their ethical principles and values
- No requirement to provide justification beyond "I choose not to license to you"
- If they use work anyway: straightforward copyright infringement, no ethical determination needed
- Standard copyright holder prerogative applies

Legal Foundation: Copyright holders have broad, well-established discretion in choosing licensees. Even if specific entity-based prohibitions were invalidated, the copyright holder's fundamental right to refuse commercial licenses to any entity remains intact. You can refuse to license to ExxonMobil simply because you don't like their business practices - no special ethical prohibition clause required.

Strategic Advantages of Economic Threshold Enforcement:

- **Simpler proof:** Just demonstrate revenue exceeds threshold and no license was granted
- **Lower legal risk:** No need to prove entity is "prohibited" or cite controversial sources
- **Faster resolution:** Straightforward copyright infringement case
- **Reduced retaliation risk:** Not making public ethical accusations that could trigger lawsuits
- **Same practical outcome:** Bad actor must cease use of your work

Bottom Line: Section 2's entity-based prohibitions provide explicit legal grounds and community support for blocking bad actors. But even without Section 2, the economic thresholds ensure harmful entities must ask permission - permission you can refuse for any reason or no reason at all. If they use your work without permission, you have straightforward copyright infringement claims requiring no ethical determinations. This is basic copyright law, not innovative licensing.

2.8 Simplified Enforcement Strategy

Copyright holders uncomfortable with entity-based enforcement may simply:

1. Grant automatic Section 1 rights to those under economic thresholds
2. Require all entities above thresholds to request commercial licenses
3. Evaluate each request based on personal ethical principles
4. Deny licenses to entities whose activities conflict with their values
5. Provide no justification (though citing Section 2.3 documentation strengthens legal position)

This approach achieves similar ethical outcomes without requiring engagement with Section 2's specific categories. The innovation of CAL is systematizing and supporting what copyright holders could already do individually.

SECTION 3: STANDARD COMMUNITY USE

3.1 Default Terms

All individuals and entities not granted expanded rights under Section 1 and not prohibited under Section 2 may use this Work under Creative Commons BY-NC-ND 4.0 terms:

- **Attribution (BY)**: You must credit the original creator
- **Non-Commercial (NC)**: No commercial use without permission
- **No-Derivatives (ND)**: No remixing or derivatives without permission

This includes individuals in developed nations making over $250K/year, large businesses, corporations, and any entity operating above the Section 1 thresholds but not engaged in prohibited activities.

3.2 Requesting Additional Permissions

To request commercial use, derivative rights, or other permissions beyond CC BY-NC-ND terms, contact: [Insert Contact Information]

Requests should include:

- Intended use and duration

- Whether derivatives will be created
- Expected commercial benefit, if any

3.3 Community Participation

Standard users are encouraged to join CAL community platforms to understand the ecosystem and access voluntary mutual aid resources.

SECTION 4: MEDIA, EDUCATION, AND REVIEW

4.1 Permitted Uses

The following uses are permitted regardless of commercial intent:

- Reviews, critiques, or discussions analyzing the Work
- Educational content teaching concepts from the Work
- Comparative analysis or testing including the Work
- News reporting about the Work or its impact

4.2 Requirements

Such uses must:

- Use excerpts rather than reproducing the entire Work when excerpts suffice
- Provide attribution to the original creator
- Not circumvent the license by teaching recreation of the Work solely to avoid licensing
- Disclose any conflicts of interest

4.3 Platform Monetization

Content creators may monetize review/educational content through platform advertising (YouTube, podcasts), sponsorships, paid subscriptions, or crowdfunding, provided they comply with Section 4.2.

SECTION 5: DEFENSIVE PUBLICATION AND DOCUMENTATION PROTECTION

5.1 Prior Art Establishment

Publication of this Work under this License establishes prior art for all concepts, methods, and technologies described herein. This helps prevent third parties from patenting these concepts, ensuring they remain available for community benefit.

5.2 Documentation as Functional Protection

When this Work consists of detailed technical documentation, process descriptions, diagrams, specifications, or implementations, the combination of copyright protection and the No-Derivatives (ND) restriction creates practical barriers to use similar to patent protection:

What This Protects:

- Detailed process descriptions and methodologies
- Technical specifications and implementation guides
- Software algorithms and their documented implementations
- Manufacturing processes with step-by-step instructions
- Educational curricula and teaching methods
- Design patterns and architectural frameworks
- Research protocols and experimental procedures

How Protection Works:

Copyright protects the expression - your specific documentation, code, diagrams, and explanatory materials.

ND restriction prevents derivatives - others cannot create modified versions, adaptations, or implementations based on your documentation without permission.

In practice - most real-world implementations require studying existing documentation. If your Work is the primary or only detailed description of a method, the ND restriction effectively controls use of that method for most practical purposes.

5.3 Comparison to Patent Protection

This approach provides patent-like benefits without patent costs or limitations:

Aspect	**Patents**	**CAL Documentation**
Blocks copying	Yes	Yes (via copyright + ND)
Blocks independent invention	Yes	No
Ethical discrimination	No	Yes (Sections 1-2)

Aspect	Patents	CAL Documentation
Cost	$10K-$30K	$0 (or $65 for registration)
Duration	20 years	Life + 70 years
Protection speed	2-4 years	Immediate
Enforcement cost	$500K-$2M	$50K-$200K (often with community support)

5.4 Practical Limitations

This approach does NOT provide:

- Protection if someone independently develops the same method without seeing your Work
- Protection if someone implements the method in a way that doesn't copy your expression
- Absolute control over functional implementations (only over copying your documentation)
- Protection of abstract ideas separate from your specific expression

However: In practice, most people implementing technical methods start by reading existing documentation. Complex innovations are rarely independently reinvented. This makes documentation copyright + ND restriction functionally similar to patent protection for many real-world scenarios.

5.5 Strategic Considerations

When CAL documentation protection works best:

- Your documentation is comprehensive and detailed
- The method is complex enough that independent reinvention is unlikely
- Implementation requires understanding your specific approach
- You want ethical control over users
- You can't afford patent costs
- You want faster protection than patents provide

When you might still want a patent:

- Your invention is easily independently discoverable
- You need protection against all implementations, not just copying
- You're in a patent-heavy industry (pharma, electronics)
- You can afford $15K-$30K upfront

- You want maximum exclusionary power

When you might want both:

- Patent the core functional innovation
- Use CAL for detailed documentation, implementations, and improvements
- CAL establishes prior art and provides ethical control
- Patent provides strongest possible legal protection
- Layered approach maximizes protection

5.6 Examples of Effective Documentation Protection

Open Source Hardware:

- Detailed circuit diagrams and PCB layouts under CAL
- ND restriction prevents manufacturers from copying designs
- Section 1 lets makers and small shops use freely
- Section 2 blocks unethical manufacturers
- Prior art prevents patent trolls

Software Algorithms:

- Comprehensive documentation with implementation details
- Source code with clear explanations
- ND restriction prevents creating modified versions
- Section 1 helps indie developers
- Section 2 excludes surveillance companies

Manufacturing Processes:

- Step-by-step instructions with technical specifications
- Diagrams, measurements, and material lists
- ND restriction prevents copying the process documentation
- Section 1 helps small manufacturers
- Section 2 excludes exploitative factories

Educational Methods:

- Complete curriculum with detailed lesson plans
- Assessment tools and teaching strategies
- ND restriction prevents for-profit ed-tech from copying
- Section 1 helps teachers and schools
- Section 2 excludes predatory educational companies

5.7 Strengthening Documentation Protection

To maximize the protective power of your documentation:

Be comprehensive:

- Document thoroughly with specific details
- Include implementation guidance and examples
- Explain the "why" behind design decisions
- Provide troubleshooting and common pitfalls

Establish primacy:

- Publish early with clear timestamps
- Register copyright for strongest protection
- Document development history
- Create clear attribution trails

Make it authoritative:

- Become the definitive reference
- Engage with the community
- Update and maintain documentation
- Build reputation as the expert source

Document strategically:

- Balance detail (for protection) with accessibility (for Section 1 users)
- Include enough specificity that implementations will reference your work
- Create documentation that's hard to replicate without copying

The more comprehensive and authoritative your documentation, the more functional protection the ND restriction provides.

SECTION 6: SEVERABILITY AND FALLBACK PROTECTION

6.1 Your Work Remains Protected Under All Scenarios

If any provision of this License is held unenforceable or invalid, your work automatically falls back to Creative Commons BY-NC-ND 4.0 terms. **Your work remains protected regardless of what happens to specific provisions.**

Even if innovative provisions like Section 2 prohibitions are invalidated, the underlying CC BY-NC-ND terms still prohibit commercial use by all entities. You can then grant individual licenses to those you wish to support.

6.2 Modification to Minimum Extent

If a provision can be modified to make it enforceable, it shall be modified to the minimum extent necessary. The remainder of the License continues in full effect.

6.3 Zero Net Risk

This License provides additional tools and options beyond standard Creative Commons licensing while maintaining the same baseline protections that millions of creators already rely on.

6.4 Jurisdictional Severability and Geographic Scope

6.4.1 Independent Jurisdictional Operation

This License operates independently in each jurisdiction where it is enforced or interpreted. A determination by any court, authority, or legal proceeding in one jurisdiction does NOT affect the validity, enforceability, or interpretation of this License in any other jurisdiction.

Specifically:

- If a provision is held invalid or unenforceable in Country/State A, that provision remains fully valid and enforceable in Countries/States B, C, D, etc.
- If an entire section is struck down in one jurisdiction, that section continues to operate in all other jurisdictions
- Each jurisdiction evaluates this License under its own legal framework independently
- No single jurisdiction's interpretation controls global application

6.4.2 Jurisdiction-Specific Fallbacks

If any provision of this License is held unenforceable in a specific jurisdiction:

Within that jurisdiction only:

- The unenforceable provision is severed for that jurisdiction
- The License reverts to CC BY-NC-ND 4.0 terms for that provision
- All other provisions continue in full effect within that jurisdiction
- Copyright holder retains all rights to grant individual licenses

In all other jurisdictions:

- The full License continues to operate as written
- No provisions are affected by determinations elsewhere

- Enforcement proceeds under local law with full License terms

6.4.3 Examples of Jurisdictional Severability

Example 1: Entity Prohibitions Struck Down in One Country

- Scenario: A court in France rules that Section 2 entity-based prohibitions violate French anti-discrimination law
- Effect in France: Section 2 prohibitions unenforceable; Section 1 income thresholds and Section 3 standard terms still apply; work falls back to CC BY-NC-ND for entity discrimination
- Effect everywhere else: Section 2 remains fully enforceable in US, UK, Canada, Germany, Japan, etc.
- Copyright holder action: Can still refuse licenses to prohibited entities in France under standard copyright discretion

Example 2: Income Thresholds Challenged in Multiple Jurisdictions

- Scenario: Court in Germany upholds income thresholds; Court in Australia finds them unenforceable
- Effect in Germany: Full CAL license including Section 1 thresholds operates as written
- Effect in Australia: Section 1 thresholds severed; work defaults to CC BY-NC-ND; copyright holder can still grant individual licenses
- Effect elsewhere: Section 1 continues to operate in all other jurisdictions
- No cross-contamination between jurisdictions

Example 3: Mutual Defense Obligations (Community Edition)

- Scenario: US court enforces Section 7 mutual defense obligations; UK court finds them unenforceable as contracts
- Effect in US: Section 7 fully enforceable; attribution chains create binding obligations
- Effect in UK: Section 7 mutual defense becomes aspirational/voluntary; derivative rights still granted; no contractual enforcement
- Effect elsewhere: Each jurisdiction evaluates Section 7 under its own contract law independently
- Community Edition continues to function globally with jurisdiction-specific enforcement

Example 4: Complete License Invalidation in One Jurisdiction

- Scenario: Hypothetical - a court in Country X rules the entire CAL framework is invalid under local law
- Effect in Country X: Work protected under standard copyright law; all uses require explicit permission; copyright holder maintains full control
- Effect everywhere else: CAL license operates normally in all other jurisdictions

- Copyright holder action: Can operate under CAL everywhere except Country X; can grant individual licenses in Country X

6.4.4 Forum Shopping and Enforcement Strategy

Copyright holders may strategically choose enforcement jurisdictions:

- If Section 2 prohibitions are untested in Jurisdiction A but established in Jurisdiction B, enforce in Jurisdiction B
- If income thresholds are favorable in certain jurisdictions, grant licenses conditioned on use within those jurisdictions
- Multi-jurisdictional violations can be pursued where license terms are strongest
- No obligation to enforce in hostile jurisdictions

Practical application:

- Weapons manufacturer operates in US and Germany, violates CAL work
- US courts have upheld similar ethical licensing provisions; German courts have not
- Copyright holder pursues enforcement in US jurisdiction
- If successful, can use US judgment as persuasive authority elsewhere
- German operations may continue to violate, but enforcement focus is where law is favorable

6.4.5 International Treaty Obligations

This License operates consistently with international copyright treaties (Berne Convention, TRIPS, WIPO):

- Basic copyright protection recognized in 175+ countries
- License terms travel with the work
- Each country interprets license under local law
- No treaty requires countries to adopt uniform license interpretation

Member states independently determine:

- Whether ethical discrimination in licensing is permitted
- Whether income-based distinctions are valid
- Whether mutual defense obligations are enforceable
- How severability operates

6.4.6 Choice of Law vs. Jurisdictional Severability

Choice of Law Provision (Section 7.2): States: "Governed by the law of: [Specify Jurisdiction]"

This means:

- The license is interpreted according to specified jurisdiction's law for consistency
- BUT does not prevent enforcement in other jurisdictions
- Other jurisdictions may apply their own law to enforceability questions
- Choice of law is for interpretation, not exclusive jurisdiction

Clarification:

- Choice of law helps with consistent interpretation of intent
- Jurisdictional severability ensures failures in one place don't spread globally
- Both work together: consistent interpretation + geographic independence

6.4.7 Practical Guidance for Copyright Holders

When specifying governing law:

- Choose jurisdiction most favorable to your license terms
- Consider where you're most likely to enforce
- US often favorable for copyright enforcement (statutory damages, attorney's fees)
- EU jurisdictions vary but generally uphold license terms
- Can specify "United States federal law" or "Courts of California" or "English law"

When facing adverse determinations:

- Document the specific jurisdiction and ruling
- Note that ruling only applies within that jurisdiction
- Continue enforcement in favorable jurisdictions
- Use adverse rulings to improve future license versions
- Share information with community about jurisdictional variations

When licensing internationally:

- Consider jurisdiction-specific variations in license interpretation
- May offer different terms for different regions if desired
- Can restrict use to jurisdictions where terms are enforceable
- Geographic restrictions are valid copyright holder rights

6.4.8 Community Intelligence on Jurisdictions

The CAL community may maintain informational resources on:

- Which jurisdictions have ruled on CAL provisions
- Summary of favorable vs. unfavorable legal environments

- Strategic enforcement recommendations by jurisdiction
- Template language for jurisdiction-specific enforcement

This is informational only - not legal advice and not binding on copyright holders.

6.4.9 No Global Precedent

Critical principle: No court ruling in any single jurisdiction creates binding precedent for the entire world.

Even if:

- The US Supreme Court invalidates Section 2 prohibitions
- The European Court of Justice strikes down income thresholds
- The High Court of Australia finds mutual defense obligations unenforceable

These rulings only affect those specific jurisdictions (and jurisdictions that follow their precedent). The vast majority of countries will still evaluate CAL independently under their own legal frameworks.

6.4.10 Worst-Case Scenario: Global Patchwork

Even if CAL faces challenges in multiple jurisdictions:

Hypothetical extreme scenario:

- Section 2 prohibited entities list unenforceable in 30% of jurisdictions
- Section 1 income thresholds questioned in 15% of jurisdictions
- Section 7 mutual defense faces issues in 10% of jurisdictions

Result:

- CAL operates fully in 55-85% of jurisdictions (the majority)
- Partial enforcement in challenged jurisdictions
- Fallback to CC BY-NC-ND in most difficult jurisdictions
- Copyright holders maintain discretion everywhere

This is a feature, not a bug:

- Geographic diversity prevents single point of failure
- Copyright holders choose where to enforce
- License evolves based on global legal feedback
- Some protection everywhere, full protection most places

6.4.11 Key Takeaway

The CAL license is not a single global contract - it's a framework that operates under the copyright law of each jurisdiction where it's enforced.

If a provision fails in one place:

- It doesn't fail everywhere
- It doesn't invalidate the rest of the license
- It doesn't prevent enforcement elsewhere
- It falls back to standard copyright in that jurisdiction

Copyright holders get:

- Maximum enforceability across multiple jurisdictions
- Strategic choice of where to enforce
- Protection from cascading failures
- Continuous improvement based on legal feedback

Your work remains protected everywhere, with varying degrees of CAL-specific enforcement depending on local law.

SECTION 7: LEGAL FOUNDATION

7.1 Copyright Holder Rights

This License exercises the copyright holder's fundamental right to determine terms and conditions for use of their creative works. The provisions represent deliberate exercise of established property rights that courts have consistently upheld.

7.2 Jurisdictional Considerations

- This License operates under copyright law where enforcement is sought
- Some provisions may have varying enforceability across jurisdictions
- Maximum enforceable restrictions apply if any provision is unenforceable in a jurisdiction
- Governed by the law of: [Specify Jurisdiction]

7.3 International Compatibility

This License operates consistently with the Berne Convention, TRIPS Agreement, and WIPO Copyright Treaty where applicable.

SECTION 8: ENHANCED COMMUNITY FEATURES (OPTIONAL)

For creators who want deeper engagement with mutual defense and automatic derivative rights within the CAL community, **CAL-1.0-Community** is available as an alternative version of this license.

CAL-1.0-Community includes:

- Automatic derivative rights with other CAL-Community members
- Proportional mutual defense obligations for works you build upon
- 90-day commercial grace periods for derivatives
- Attribution chain solidarity networks

These features are NOT included in CAL-1.0-Basic. This version keeps you free from mutual defense obligations while providing all the ethical screening and community support benefits.

See CAL-1.0-Community documentation at [link] for details.

DISCLAIMER

This license is not a substitute for legal advice. The Copyright Holder makes no warranties regarding legal enforceability of these terms. Consult qualified legal counsel with questions about your rights and obligations.

Any intellectual property lawyer familiar with Creative Commons licensing can enforce this License through standard copyright law and normal legal channels.